

## Message Text

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PAGE 01 STATE 022389

63

ORIGIN ORM-01

INFO OCT-01 EUR-12 IO-10 ISO-00 SR-02 VO-03 SCA-01 INSE-00

CIAE-00 NEA-09 /039 R

DRAFTED BY S/R:ORM:JMCHALE:AVS

APPROVED BY S/R:LAWIESNER

ORM - MR. PAPPAS

S/R - MR. TURNER

EUR/WE - MR. MANGER

----- 103247

P 310000Z JAN 75

FM SECSTATE WASHDC

TO AMEMBASSY BRUSSELS PRIORITY

USMISSION GENEVA

INFO AMCONSUL FRANKFURT PRIORITY

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E.O. 11652: N/A

TAGS: SREF, BE

SUBJECT: EX-SOVIET REFUGEES IN BELGIUM

REF: BRUSSELS 0765

1. DEPARTMENT WILL RAISE MATTER REPORTED REFTEL AT APPROPRIATE LEVEL WITH OFFICERS OF INS CENTRAL OFFICE. FOR USE IN OUR DISCUSSION CAN EMBASSY OR U.S. MISSION FURNISH ESTIMATE OF NUMBER OF APPLICANTS NOTIFIED OF REFUSAL OF CONDITIONAL ENTRY APPLICATION TOGETHER WITH ESTIMATE OF NUMBER OF APPLICATIONS APPROVED, IF ANY.

2. FYI - INS CENTRAL OFFICE RECENTLY CIRCULATED TO DISTRICT DIRECTORS ABROAD OPINION WRITTEN BY INS GENERAL COUNSEL ON SUBJECT OF CONDITIONAL ENTRY ELIGIBILITY OF SOVIET JEWS WHO INITIALLY EMIGRATED TO ISRAEL. THIS OPINION SETS FORTH PROVISIONS OF ISRAEL'S LAW OF RETURN, PROVIDES INFORMATION ON ACQUISITION OF ISRAELI NATIONALITY, DISCUSSES APPLICATION OF LAW TO SOVIET EMIGRES, THE  
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PAGE 02 STATE 022389

SIGNIFICANCE OF POSSESSION OF ISRAELI PASSPORTS AND THE

ISSUE OF DETERMINATION OF FIRM RESETTLEMENT. THE CONCLUSION  
REACHED IN THIS OPINION IS SET FORTH AS FOLLOWS:

"IT IS MY OPINION THAT IN THE ABSENCE OF AN OVERT ACT  
SIGNIFYING ACCEPTANCE OF ISRAELI NATIONALITY, ITS  
INVOLUNTARY ACQUISITION NEITHER PRECLUDES A JEW FROM THE  
SOVIET UNION FROM ELIGIBILITY FOR CONDITIONAL ENTRY NOR

CONSTITUTES EVIDENCE IN ITSELF OF FIRM RESETTLEMENT.  
FURTHER, IT IS MY OPINION THAT ADMISSION TO ISRAEL AS AN  
IMMIGRANT UPON THE INDIVIDUAL'S APPLICATION CREATES A  
PRESUMPTION OF FIRM RESETTLEMENT, THAT THE PRESUMPTION IS  
REBUTTABLE, AND THAT A CONDITIONAL ENTRY APPLICANT WHO  
CLAIMS THAT HE CAN PROVE THAT HE WAS NOT FIRMLY RESETTLED  
SHOULD BE GIVEN AN OPPORTUNITY TO PRESENT HIS EVIDENCE."

3. STATEMENT REQUESTED REFTEL WILL BE PROVIDED AS SOON AS  
POSSIBLE. KISSINGER

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NNN

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** REFUGEE RESETTLEMENT, PASSPORT REFUSALS, TRAVEL CONTROLS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 31 JAN 1975  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** MorefiRH  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1975STATE022389  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** ORM:JMCHALE:AVS  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Film Number:** D750035-0438  
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**Image Path:**  
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**Line Count:** 79  
**Locator:** TEXT ON-LINE, ON MICROFILM  
**Office:** ORIGIN ORM  
**Original Classification:** LIMITED OFFICIAL USE  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 2  
**Previous Channel Indicators:** n/a  
**Previous Classification:** LIMITED OFFICIAL USE  
**Previous Handling Restrictions:** n/a  
**Reference:** 75 BRUSSELS 0765  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** MorefiRH  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 09 APR 2003  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <09 APR 2003 by MartinML>; APPROVED <16 MAY 2003 by MorefiRH>  
**Review Markings:**

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**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** EX-SOVIET REFUGEES IN BELGIUM  
**TAGS:** SREF, BE, UR  
**To:** BRUSSELS GENEVA  
**Type:** TE  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 05 JUL 2006